

- 8 -

Remarks

This response is to the Office Action mailed in the above-referenced case on December 28, 2004. Claims 1-25 are present below for examination. The Examiner has rejected claims 1-25 under 35 U.S.C. 102(e) as being anticipated by Petrunka et al. (US 6,122,364), hereinafter Petrunka.

Applicant has carefully studied the reference of Petrunka, and the Examiner's statements of the instant Office Action. In response to the rejection, applicant provides valid arguments clearly distinguishing applicant's invention over the prior art presented. Applicant points out and argues the key limitations of applicant's claims which Petrunka fails to teach or suggest.

Regarding independent claims 1, 8, 15, and 20, the Examiner states that Petrunka discloses a method and system for establishing a remote agent station from a call center comprising the steps of establishing a data link between a computer platform at the remote agent station and a CTI processor connected to a telephony switch at the call center; determining to switch a selected one of the incoming calls to an agent at the remote agent station; retrieving data associated with the selected incoming call (col. 1-6) from a database (ACD server 1120); forwarding the data associated with the selected incoming call to the computer platform at the remote agent station via the data link (col. 5, lines 44-50); placing a call from the call center to a telephone at the remote agent station (col. 5, lines 51-61).

Applicant disagrees with the examiner's interpretation of the teachings of Petrunka above. Petrunka clearly teaches that all communication between the agent station and the call center, customers, and up to three other host computers occurs over a single data link 1500 between the agent station 1300 and the call center 1100(col. 5, lines 51-61). Petrunka teaches that once agent 1300 receives the call, agent service activity shown in the flowchart of FIG. 5 occurs. Agent terminal 1310 receives the digital data from VoIP server 1140 and converts it back into voice signals to permit agent 1300 to answer

- 9 -

customer 1200's call and provide the desired service [step 5010]. During call servicing, agent terminal 1310 communicates with up to three different computers: VoIP server 1140, ACD server 1120, and host computer 1600. All three computers communicate by sending messages to the single Internet address corresponding to agent terminal 1310 (col. 5, lines 51-61).

Applicant argues that Petrunka clearly does not anticipate all of applicant's limitations in the base claims, and does not teach all of the method steps of applicant's claims, in the order in which they are recited in the claims, which is required for a prima facie rejection.

The above teaching of Petrunka clearly teaches that the call is received at the agent station before information regarding the caller, or any other data concerning the call is received at the agent station 1310. Applicant wishes to direct the Examiner's attention to applicant's step (c) of claim 1, which specifically recites "retrieving data associated with the selected incoming call from a database at the call center, and step (d), which recites "forwarding the data associated with the selected incoming call to the computer platform at the remote agent station via the data link", both steps (c) and (d) occurring before the actual placing and switching of the incoming call to the remote station.

Referring now to claim 1, with reference to Fig. 1, in a preferred embodiment of applicant's invention, wherein the data connection is kept active until the remote agent logs off, when a call arrives at the telephony switch 109 and it is determined that the routing for the call is to be the remote agent, router 118 directs the switch to transfer the call to the remote agent, and data associated with the incoming call is then retrieved from database 113. The additional data associated with the call is retrieved (step (c)) from the database using information derived from the call, and is forwarded (step (d)) to the remote agent station via the always-open data connection. In this manner a screen pop-up with pertinent client information, or even a script to assist the agent in the interaction with the client, may be displayed at the agent station by the time the call actually arrives, or even before the call arrives at the agent station. Both steps (c) and (d) above, clearly occur before the incoming call is connected to the remote station, and retrieving data

- 10 -

associated with the incoming call from a database, and forwarding it to the remote agent at the time of, or even before the call arrives, is very important to applicant's invention, and the specific method steps of applicant's and claims, in the order in which they are recited, are clearly not anticipated by Petrunka.

Further Petrunka does not teach a separate telephone on the PSTN for communicating with customers routed from the call center. Petrunka utilizes one data network connection 1500 to facilitate virtually all communication. Petrunka teaches a VoIP server 1140 for converting analog voice to data for communication over data link 1500 to the agent station 1300. Applicant's invention teaches two separate links, one for data and one for conversing with customers.

As a broad statement for the record, it appears the examination in this case is following the old path of investing prior art status in inventions that accomplish the same or a similar purpose as the invention in examination, rather than following the principle that it is the actual limitations of the claim that must be found in the art. The Examiner in this case continues to use references which teach the capability of receiving calls at a remote agent station and even capable of receiving data regarding the calls remotely. The problem with this approach in examination is that the rejections are not *prima facie*, in that they do not teach the actual physical limitations of the claimed apparatus and the order in which functionality of those components occurs. They only teach accomplishing a similar purpose.

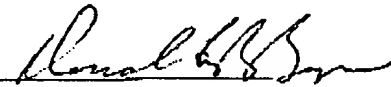
Applicant therefore believes that independent claim 1 is clearly and unarguably patentable over Petrunka. Applicant's claims 8, 15 and 20 recite methods for establishing a remote agent station from a call center, and a home agent call center system in accordance with claim 1, reciting similar limitations. Applicant believes claims 8, 15 and 20 are then also patentable over the prior art, as argued above by applicant on behalf of claim 1. Claims 2-7, 9-14, 16-19, and 21-25 are then patentable on their own merits, or at least as depended from a patentable claim.

Applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any extensions of time required, such extensions are

- 11 -

hereby requested. If there are any fees due, authorization is given to deduct the fees from deposit account 50-0534.

Respectfully Submitted,
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